IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 6181 OF 2005
IN
CRIMINAL APPEAL NO. 856 OF 2005

Sanjay Raosaheb Fadtare ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. S.S. Salunkhe, Advocate for Applicant

Mr. R.S.Khadapkar, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 5TH OCTOBER, 2005

P. C.:-

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail. The applicant has been convicted mainly under Section 354 of I.P.C.

3. The learned advocate for the applicant has submitted that the maximum sentence imposed on the applicant is two years. Out of the said period the applicant has already undergone almost half the period of imprisonment, hence, he has prayed that the applicant be released on bail.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat reported in (1999) 4 SCC 421,** has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. On the compensation and fine amounts being deposited, the applicant Sanjay Raosaheb Fadtare to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up the said amount. The applicant shall report on first Sunday of every month to Chembur police station, during the pendency of this appeal.

6. Application is disposed of.

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